

MAZIE SLATER KATZ & FREEMAN, LLC

103 Eisenhower Parkway, Suite 207, Roseland, NJ 07068

Phone: (973) 228-9898 - Fax: (973) 228-0303

www.mazieslater.com

David A. Mazie*
Adam M. Slater*^o
Eric D. Katz*^o
David M. Freeman
Beth G. Baldinger
Matthew R. Mendelsohn*^o
David M. Estes
Adam M. Epstein^o

Karen G. Kelsen^o
Cory J. Rothbort*^o
Michael R. Griffith^o
Christopher J. Geddis
Samuel G. Wildman
Julia S. Slater^o
Trevor D. Dickson

^oMember of N.J. & N.Y. Bars

*Certified by the Supreme Court of
New Jersey as a Civil Trial Attorney

May 10, 2022

Via ECF and Email

Honorable Thomas I. Vanaskie, Special Master
Stevens & Lee, P.C.
1500 Market Street, East Tower, 18th Floor
Philadelphia, Pennsylvania 19103

Re: *In re Valsartan, Losartan, and Irbesartan Products Liability Litigation*,
No. 1:19-md-02875-RBK (D.N.J.)

Dear Judge Vanaskie:

Plaintiffs respectfully submit this letter in advance of the May 11, 2022 status conference.

1. Status of the Parties' Meet and Confers Regarding Defendants' Indemnification and Defense Agreements

Since Plaintiffs' May 3, 2022 letter, OptumRx has agreed to provide substantive information regarding its indemnification and defense agreements by May 13, 2022.

Most of the Wholesalers have provided information regarding their indemnification agreements, with the exception of McKesson, which continues to withhold information regarding indemnification of its downstream customers. All Wholesalers are withholding the details of their defense agreements, pending their motion for "clarification" on this issue, which was denied and remanded by Judge Kugler as a matter of procedure. Plaintiffs oppose that motion for

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“clarification” and request a briefing schedule to respond to the motion if necessary, but in any event will be prepared to discuss with the Court during tomorrow’s discovery conference.

2. Motion for Summary Judgment Filed in *Garrison Losartan* Case

Plaintiffs’ leadership was not aware of this motion until Defendants’ put it on the agenda this past Friday afternoon. Plaintiffs understand the desire of the Plaintiff in that case to bring his claims to the point of determination, however the motion is premature in light of the status of the litigation. If the motion is to be heard, that should occur without prejudice to the right of the balance of the Plaintiffs to file dispositive motions when and as permitted by the Court.

Thank you for your courtesies and consideration.

Respectfully,



ADAM M. SLATER

cc: All Counsel (via CM/ECF)